IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of	Group: 3731
Atsuo F. Fukunaga et al.	
Patent No. 7,261,105	Examiner: Erezo, Darwin P.
Serial No. 10/777,772	
Filing date: February 12, 2004	
Issue date: October 28, 2007	Confirmation No. 2944
Titled:	

BREATHING CIRCUITS HAVING
UNCONVENTIONAL RESPIRATORY
CONDUITS AND SYSTEMS AND
METHODS FOR OPTIMIZING
UTILIZATION OF FRESH GASES

NOTIFICATION OF ERROR IN
ENTITY STATUS UNDER 37 C.F.R § 1.28(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants in the above-identified patent were not entitled to pay the 4th year maintenance fee as a small entity. Status as a small entity was established in good faith and application fees as a small entity were correctly paid. The subject patent is licensed by King Systems Corporation. Baker & Daniels LLP is counsel for the licensee and responsible for payment of maintenance fees. The undersigned discovered that the Commissioner was not notified of a loss of entitlement to small entity status as required by §1.27(g)(2) and as a result the 4th year maintenance fee was paid in error, with no intention to deceive, as a small entity fee. Therefore, pursuant to 37 C.F.R. §1.28(c), the undersigned hereby submits payment of the deficiency between the amounts paid and owed, which according to §1.28(d) also operates as a notification of loss of status under §1.27(g)(2).

Type of Fee	Amount paid as Small Entity	Date of Original Payment	Deficiency Owed
Maintenance fee	$490	2/28/11	$490
		Total Deficiency Owed:	**$490**

The Director is hereby authorized to charge $490 for the deficiency owed and any other deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 02-0390, Baker & Daniels LLP.

Respectfully submitted,

/Marcelo Copat/

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